



3679  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

O'BRIEN, James Richard

Serial No.: 10/027,203

Filed: December 26, 2001

Title: FENCE AND METHOD OF  
PRODUCING SAME

)  
) Art Group: 3679  
)  
) Examiner: Garcia, Ernesto  
)  
)  
)  
)  
)  
)

**RESPONSE TO OFFICE COMMUNICATION DATED AUGUST 25, 2004**  
**CONCERNING NON-COMPLIANT REPLY (AMENDMENT) FILED JUNE 24, 2004**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper responds to the Office communication dated August 25, 2004, in the subject application. The Office communication states that the reply (Amendment) filed June 24, 2004 is not fully responsive on the grounds that the replacement of the text to the specification starting at page 4, line 13 was not compliant with 37 CFR 1.121 as lacking indication of what was added or replaced.

Attached hereto are replacement pages 9, 10, and 10.1 for insertion into the reply filed June 24, 2004, which replacement pages set forth amendments to the specification starting at page 4, line 13 indicating what is added or replaced.

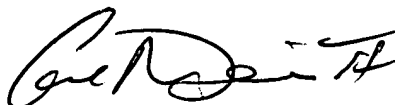
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Com. of Patents, PO Box 1450,  
Alexandria, VA 22313-1450 on this 9 day of Sept, 2004.

Signature: \_\_\_\_\_

Carl M. Davis II

It is believed that upon insertion of the replacement pages, the reply filed June 24, 2004 will be fully responsive and compliant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carl M. Davis II', with a stylized flourish at the end.

Carl M. Davis II  
Reg. No. 31,502

BAKER, DONELSON, BEARMAN CALDWELL & BERKOWITZ  
Five Concourse Parkway, Suite 900  
Atlanta, Georgia 30328  
(678) 406-8700  
(678) 406-8701 (fax)  
Docket No. 1709331-00001